

## UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

\* \* \*

JASON A. MAHE,

Case No. 3:21-cv-00355-MMD-CLB

Plaintiff,

ORDER

v.

JENNIFER DUNBAR, *et al.*,

Defendants.

*Pro se* Plaintiff Jason Mahe brings this civil rights action under 42 U.S.C. § 1983. (ECF No. 16.) Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin, recommending that the Court dismiss this action for Mahe’s failure to comply with Local Rule IA 3-1 and the Court’s previous order (ECF No. 70) directing him to update his address. (ECF No. 71.) Objections to the R&R were due June 18, 2024. (*See id.*) To date, no objections have been filed. For this reason, and as explained below, the Court adopts the R&R in full and dismisses this action without prejudice.

Because there is no objection, the Court need not conduct *de novo* review and is satisfied Judge Baldwin did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Judge Baldwin recommends dismissing this action because Mahe has failed to comply with LR IA 3-1. (ECF No. 71 at 1.) See LR IA 3-1 (providing that failure to “immediately file with the Court written notification of any change of address . . . may result in dismissal of the action . . . .”); *Carey v. King*, 856 F.2d 1439, 1440 (9th Cir. 1988) (describing circumstances under which courts may dismiss an action for failure to follow local rules). On April 4, 2024, the

1 Lorain Correctional Institution in Ohio returned the Court's order regarding deadlines in  
2 this action (ECF No. 68) as undeliverable. (ECF No. 69.) As a result, the Court issued an  
3 order directing Mahe to update his address by June 3, 2024. (ECF No. 70.) The Court  
4 warned Mahe that further failure to update his address would result in a recommendation  
5 for dismissal. (*Id.*) To date, Mahe has not filed a notice of change of address with the  
6 Court. Accordingly, having reviewed the R&R and the record in this case, the Court  
7 agrees with Judge Baldwin that dismissal is appropriate and will adopt the R&R in full.

8 It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF  
9 No. 71) is accepted and adopted in full.

10 It is further ordered that this action is dismissed without prejudice.

11 The Clerk of Court is directed to enter judgment accordingly and close this case.

12 DATED THIS 28<sup>th</sup> Day of June 2024.

13 

14 MIRANDA M. DU  
15 CHIEF UNITED STATES DISTRICT JUDGE  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28